IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.A.ABDUL GAFOOR
&
THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 4TH JANUARY 2007 / 14TH PAUSHA 1928

WP(C).No. 27700 of 2003(S)
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OA.174/1999 of CENTRAL ADMINISTRATIVE TRIBUNAL,ERNAKULAM BENCH

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PETITIONER:

1. UNION OF INDIA, REPRESENTED BY
SECRETARY, DEPARTMENT OF SPACE
GOVERNMENT OF INDIA, NEW DELHI.

2. THE DIRECTOR, VIKRAM SARABHAI SPACE
CENTRE, ISRO POST, THIRUVANANTHAPURAM.

3. ADMINISTRATIVE OFFICER,
RECRUITMENT SECTION,
VIKRAM SARABHAI SPACE CENTRE,
ISRO POST, THIRUVANANTHAPURAM.

BY ADV. SRI.C.N.RADHAKRISHNAN, SR.PANEL COUNSEL

RESPONDENTS:

1. S.R.BINDHU, PADMANABHAVILASOM BUNGLOW
KULATHUR, UCHAKADA P.O., NEYYATTINKARA,
TRIVANDRUM DISTRICT.

2. THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM,REPRESENTED BY ITS REGISTRAR,
KALOOR, KOCHI - 682 017.

BY ADV. SRI.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR
SRI.M.R.JAYAPRASAD
SRI.K.K.RAJEEV
SRI.JOHN VARGHESE, ASSISTANT SG

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.A. ABDUL GAFOOR & K.R. UDAYABHANU, JJ

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W.P.(C). NO. 27700 OF 2003

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Dated this the 4th day of January 2007

**JUDGMENT**

Abdul Gafoor,J

The Writ Petitioners Union of India and the V.S.S.C. challenge Ext.P8 order of the Central Administrative Tribunal, Ernakulam Bench wherein the first respondent, the applicant, has been directed to be given employment assistance in terms of the scheme for such assistance for the dependent of those who died on harness. It is an admitted fact that one Ramachandran, the father of the 1st respondent was an employee of the V.S.S.C and he died on 31.03.1995 while in service. It is also an admitted fact that the 1st respondent is the daughter of the said incumbent. It is further admitted fact that during 1995 itself she had in an application sought employment assistance under the said scheme. It is the further admitted fact that she had been offered appointment in Ext.P4 dated 13.06.1997 and was asked to appear for the written test, typing test and an interview. It is again admitted that she has passed all the test and it has been decided to give employment on extreme compassionate grounds in a future vacancy. But later this appointment was declined allegedly based on

an enquiry conducted by the Vigilence in which it was disclosed that the mother of the 1st respondent was living away from the father of the 1st respondent with another man and had two children in their relationship and that the 1st respondent was also living with her mother. When there is no dispute regarding the parentage of the 1st respondent and when she had been offered appointment as disclosed in Ext.P4 and when she had passed all the test, any enquiry alleged to be conducted based on a complaint without notice to her or her mother cannot be relied on to refuse such appointment. Therefore, the Tribunal was perfectly justified in directing appointment of the appellant . We find no reason for interference. The directions shall be complied with two months from today

The Writ Petition is dismissed accordingly.

**K.A. ABDUL GAFOOR, JUDGE**

**K.R. UDAYABHANU, JUDGE.**

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